

Appl. No. 09/978,152
Filing Date: October 16, 2001
Docket No. 5855/C1-03-EJF



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Sau-Hung Spence Leung; Alain Martin; Robert S. Leone
Serial No.: 09/978,152 Art Unit : 1614
Filed : October 16, 2001 Examiner: K. Weddington
Title : BIOADHESIVE ANTIBACTERIAL WOUND HEALING COMPOSITION
Date : May 6, 2003

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

Sir,

This Response is being timely submitted in response to the Office Action mailed on November 6, 2002, along with a request for a three month extension of time and the appropriate fee. Applicants respectfully request entry of this Response. Should any fee be due please charge Deposit Account Number 23-0455.

REMARKS

The Office Action rejects claims 26 – 41 under non-statutory double patenting. Applicants' submitted a Terminal Disclaimer which should obviate the rejections in the Office Action. The Office Action notes that priority is claimed to foreign application PCT/US00/02079, filed January 27, 2000. However, applicants' submit that no such priority was claimed and therefore no certified copy is required. Rather, this application is a continuation of 09/511,869, which issued as USPN 6,329,343, which claims benefit